GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prohibition and Excise Department – Allegations of misconduct – Initiation of disciplinary proceedings against Sri Y. Adinarayanamurthy, Proh.&Excise Superintendent, Srikakulam under Rule 20 of A.P.Civil Services (Classification, Control & Appeal) Rules, 1991 – Articles of Charges – Issued.

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REVENUE (VIGILANCE.IV) DEPARTMENT

G.O.Rt.No.680 **Dated.26-08-2020**

Read the following:-

1. From Commissioner of Prohibition and Excise, A.P., Vijayawada Lr in REV04-11030/12/2020-A SEC-COPE, Dated 31.05.2020.
2. G.O.Ms.No.230, Rev (Vig.IV) Dept., dated.26.08.2020.

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O R D E R:

In continuation of orders issued under Rule 24 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 in the reference 2nd read above, it is considered necessary to hold an enquiry against Sri Y. Adinarayanamurthy, Prohibition & Excise Superintendent, Srikakulam in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Y. Adinarayanamurthy, Prohibition & Excise Superintendent, Srikakulam is directed to submit within 10 days of the receipt of this order, a written statement of his defence.

4. Sri Y. Adinarayanamurthy, Prohibition & Excise Superintendent, Srikakulam is informed that, an inquiry will be held only in respect of that article of charges which are not admitted. He should therefore specifically admit or deny each article of charges.

5. Sri Y. Adinarayanamurthy, Prohibition & Excise Superintendent, Srikakulam is further informed that, if he does not submit his written statement of defence on or before the date specified in Para-3 above further action will be processed based on the material available.

6. Attention of Sri Y. Adinarayanamurthy, Prohibition & Excise Superintendent, Srikakulam is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To

Sri Y. Adinarayanamurthy, Prohibition & Excise Superintendent, Srikakulam [through the Commissioner of Prohibition & Excise, Andhra Pradesh, Vijayawada with a request to serve the Article of charges on the individual and send the served copy with dated acknowledgment to this Office).

Copy to:The Commissioner of Prohibition & Excise, Andhra Pradesh, Vijayawada.

Sf/Sc

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES AGAINST SRI Y. ADINARAYANAMURTHY, PROH. & EXCISE SUPERINTENDENT, SRIKAKULAM.

Sri Y. Adinarayanamurthy, Prohibition & Excise Superintendent, Srikakulam is herein referred as charged officer.

ARTICLE OF CHARGE-I:

"That the charged officer, being a disciplined uniformed Government Servant has not obeyed the orders of superior officers and misuse the authority for his personnel financial benefits, interfered in the powers of the superior officers, not furnished the information requested by them in a stipulated time, frequently becomes unavailable, not attended the meetings, and pressurized the subordinates to work as per his wish. Hence, the charged officer has failed to discharge his legitimate duties as a Prohibition & Excise Superintendent in his jurisdiction."

Thus the charged officer being a uniformed Government Servant failed to maintain the absolute integrity, discipline in discharge of his duties, thereby he contravened Rule 3 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI Y. ADINARAYANAMURTHY, PROH.& EXCISE SUPERINTENDENT, SRIKAKULAM.

A report has been submitted by the Commissioner of Prohibition and Excise, Andhra Pradesh, Vijayawada stating that the Deputy Commissioner, Prohibition & Excise, Srikakulam stated that, as per instructions received during video conference held on 11.04.2020 and the Special Chief Secretary and as per the instructions of the Commissioner of Prohibition & Excise Office dated 11.04.2020, Deputy Commissioner, Srikakulam obtained prior permission from the District Collector, Srikakulam on 12.04.2020 for verification of physical stocks in all the 2B Bars in Srikakulam District during lockdown period. As per the note of the District Collector, Srikakulam, the Deputy Commissioner, Srikakulam issued orders vide RC.No.20/2020/B, Dt:13.04.2020 to Assistant Prohibition & Excise Superintendent, Srikakulam, Assistant Prohibition & Excise Superintendent, Palasa, Assistant Prohibition & Excise Superintendent, ENFT, Srikakulam for the verification of stocks in 2B bars in Srikakulam District. But the Prohibition & Excise Superintendent, Srikakulam has taken advantage of Deputy Commissioner Office memo dated 10.04.2020 and instead of submitting report to Deputy Commissioner office, has obtained permission from the District Collector, Srikakulam without consulting (or) circulate the file through Deputy Commissioner, Srikakulam and implemented the verification of stocks with his subordinates and thus the Prohibition & Excise Superintendent, Srikakulam disobeyed the orders of the Deputy Commissioner, Srikakulam.

The inspections that were made against the orders of the Deputy Commissioner, Prohibition & Excise Srikakulam by Prohibition & Excise Superintendent, Srikakulam; Assistant Excise Superintendent, Srikakulam are as follows:

As Per DC, Srikakulam, Rc.No.20/2020/B dated:13.04.2020					Remarks
S. No.	Team No.	Headed by	Team Members	Bars to be Verified	
1	Team-I	C.Bhargava AP&ES (ENFT) Srikakulam	P.Ramachendrakumar, P&EI, Enft, Sirkakulam, one P&EHC and (2) P&ECs	1)M/s Lakshmi Rest. and Bar 2)Janatha Rest. and Bar 3)Kalinga Rest. and Bar	As per the instruction of P&ES Srikakulam, AP&ES, Srikakulam inspected the Janatha Rest. & Bar by not obeying the DC order.
2	Team-II		B.Narasimha Murthy, P&EI, Enft, Srikakulam, one P&EHC and (2) P&ECs	1)M/s Ganesh Rest. & Bar 2)S.V.Rest. & Bar 3)Divya Rest.& Bar	As per the instruction of P&ES, AP&ES, Srikakulam inspected the Divya Rest.&Bar and seals are opened by not obeying the DC order.
3	Team-III		Smt.K.Kalyani, P&ESI, Enforcement & (3) P&ECs	1)M/s Venkateswara Rest.&Bar 2)Nagavalli Rest.&Bar 3)Vijetha Rest.&Bar	
4	Team-IV	K.S.Rambabu, AES, Srikakulam	S.V.Ramanamurthy, P&EI, ESTF, Srikakulam, one P&EHC & (2) P&ECs	Rajam Rest.&Bar	

Contd.,2

5	Team-V		Sk.Raheem, P&ESI, ESTF, Srikakulam and 3P&ECS	Amadalavalasa and Palakonda Rest.&Bar	
6	Team-VI	K.Rambabu, AES, Palasa	T.Venkatappalanaidu, P&EI, ESTF Palasa and his staff	Palasa & Ichapuram Rest. & Bar	

Thus the Prohibition & Excise Superintendent, Srikakulam interfered in the powers of the Deputy Commissioner, Prohibition & Excise, Srikakulam and misused the same for his personnel financial benefit in order to break away the violations made by the licensees of the 2B Bars in Srikakulam during lock down period.

As per the statement submitted by the Deputy Commissioner, Srikakulam the Prohibition & Excise Superintendent, Srikakulam is not using the **"whats App"** number allotted by the Government for conveying official information/work to him. He never attended the meetings convened by the District Collector, Srikakulam or any other superior officers in the District simply entrusted the work to his subordinates. He was not at all furnished even simple information asked by the Deputy Commissioner, Srikakulam over phone or on paper. The Prohibition & Excise Superintendent, Srikakulam has never taken any steps to curb the ID Crime in the Excise Station which falls under his jurisdiction and also not detected a single qualitative ID case, NDPL or unauthorized IML case during lock down period even though repeated instructions from time to time over phone and on paper have been issued by the Deputy Commissioner, whereas the Enforcement wing Srikakulam seized 300 liters of ID during lock down period in Excise Station, Palakonda, Thus the Prohibition & Excise Superintendent, Srikakulam and the Station House Officer, Palakonda are failed to detect a single qualitative case during lock down period.

As per the report of the Deputy Commissioner, Prohibition & Excise, Srikakulam, instructions issued to Prohibition & Excise Superintendent, Srikakulam to verify the seal of the GRO's situated in Rajam and Ponduru and submit the report whether the seals are intact or not. The report is necessary to explain in the video conference conducted by the Deputy Chief Minister for Excise and Special Chief Secretary to Government on the same day i.e., on 11.04.2020, report is not received from him. Instead of submitting report to Deputy Commissioner Office, took advantage and obtained the permission from the District Collector, Srikakulam without circulate the file through Deputy Commissioner, Srikakulam or intimation.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI Y. ADINARAYANAMURTHY, PROH.&EXCISE SUPERINTENDENT, SRIKAKULAM ARE PROPOSED TO BE SUSTAINED:

1. Report of the DC, Srikakulam in Rc.No.81/2020/A, dt. 14.04.2020
2. Any other document as may be necessary at the time of regular enquiry.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGES FRAMED SRI Y. ADINARAYANAMURTHY, PROH. &EXCISE SUPERINTENDENT, SRIKAKULAM.

1. Sri C.Bhargava, AP&ES(ENFT), Srikakulam.
2. Sri P.Ramachendrakumar, P&EI Enft, Srikakulam
3. Sri B.Narasimha Murthy, P&EI Enforcement, Srikakulam.
4. Nowkarmana of Janatha bar & Restaurant.
5. Any other witnesses required during the enquiry

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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